

REMARKS

Claims 1-12 and 30-37 are pending in the present application. Claims 1-12 are rejected. Claims 1, 4, 6, 9 and 10 have been amended. Claims 30-37 are newly added. Claims 13-29 are canceled herein. No new matter has been added. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Claims 1, 3-6 and 8 have been rejected under 35 U.S.C. § 102(b) as assertedly being anticipated by Yu (U.S. Patent No. 6,420,218, hereinafter "Yu"). Applicant respectfully traverses these rejections.

Claim 1 is amended herein and particularly recites "an implanted impurity region within and surrounded by the channel region..." Applicant respectfully submits that the Yu reference relied upon by the Examiner does not show, teach or suggest the elements of Claim 1, and in particular the above recited elements.

The structure of Yu that the Examiner relies upon for the impurity region (oxide 35 in Figure 1 of Yu) is explicitly described in Yu as a CVD deposited layer of silicon dioxide formed using trenches, CVD deposition, and CMP or etchback (Yu at col. 6, lns. 56-65). Oxide 35 is CVD oxide beneath the channel layer of Yu which is likewise deposited, and cannot meet the limitations of Claim 1. Accordingly, Yu cannot anticipate Claim 1 and Claim 1 is believed to be allowable over the rejection. Reconsideration and allowance are therefore respectfully requested.

Claims 3-6 and 8 were likewise rejected as anticipated over Yu. Each of these dependent claims depends from and incorporates the allowable limitations of Claim 1, and is therefore believed to be allowable. Further, Claim 6 specifically requires an implanted oxygen bearing species which is clearly not disclosed by the relied upon reference, and so Claim 6 is also

believed to be allowable on that basis as well. Reconsideration and allowance are respectfully requested for each of Claims 1, 3-6, and 8.

Claims 2, 7, 9, 10 and 12 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Yu in view of Murota (U.S. Patent Publication No. 2002/0008289, hereinafter "Murota"). Applicant respectfully traverses these rejections.

Each of these rejected claims depends from and recites additional limitations on the limitations of Claim 1. As the parent claim is allowable, Applicants believe that each of these dependent claims is also allowable. The structure of Murota does not cure the deficiencies in the rejection of Claim 1 over Yu; accordingly, each of these dependent claims is allowable over each of the relied upon references taken singly, and over the combination proposed by the Examiner. Reconsideration and allowance are therefore requested.

Claims 1, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Yu. Applicant respectfully traverses these rejections.

With respect to Claim 1, Applicant believes that the Examiner's Action lists the claims in error. Claim 1 was allegedly rejected as anticipated by Yu as addressed above. Applicant believes from the comments by the Examiner that the rejection is intended to address Claims 9, 10 and 11. Correction is requested if this is not the case.

Claims 9 and 10 (and apparently, 11) each depend from and recite additional limitations on Claim 1. These claims therefore incorporate the allowable limitations of Claim 1 and are therefore believed to be allowable. Further, and as an independent ground for allowance, dependent Claim 10 now recites an implanted impurity region, having been amended herein in accordance with similar amendments in Claim 1. Yu, as discussed above, does not show, teach or suggest an implanted impurity region as required. Accordingly, reconsideration and allowance

of the rejected dependent claims is requested. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Claims 30-37 are newly added claims provided to further distinctly claim embodiments of the present invention as shown, for example, in Figures 2, and Figures 4a-4b. No new matter is entered. These newly added claims recite elements similar to the allowable elements of Claim 1 as argued above and are therefore also believed to be allowable over the prior art. Consideration and allowance of these new claims is therefore respectfully requested.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Mark E. Courtney, Applicant's Attorney, at 972-732-1001 so that such issues may be resolved as expeditiously as possible. No fee is believed due in connection with this filing. However, should one be deemed due, the Commissioner is hereby authorized to charge, or credit any overpayment, Deposit Account No. 50-1065.

Respectfully submitted,

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Date

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